

Exhibit 12

Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

GURU PRASAD RAO PANDYAR,

Defendant.

NO. CR 17-317 RSL

DEFENDANT GURU PANDYAR'S
UNOPPOSED MOTION TO MODIFY THE
TERMS OF SUPERVISION

NOTE ON MOTION CALENDAR:
MARCH 1, 2019

Defendant Guru Prasad Rao Pandyar respectfully moves to modify a condition of the Defendant's supervision. Specifically, Mr. Pandyar asks this Court to modify the terms of his supervision by vacating the electronic monitoring special condition requirement. As grounds for this Motion, Mr. Pandyar states as follows:

1. On January 18, 2018, Mr. Pandyar entered into an Appearance Bond in connection with the pendency of this case. One of the conditions of Mr. Pandyar's pre-trial release is to comply with the Stand Alone Monitoring Component of the Location Monitoring Program, requiring Mr. Pandyar to wear an electronic monitoring device on his ankle.

2. Since the beginning of this and other related legal matters, Mr. Pandyar has been nothing but helpful and cooperative.

a. Mr. Pandyar testified in a civil case, arising from the same facts as this criminal matter, providing testimony at the request of the victim (Kyko Global, Inc.) that

1 inculpated himself in criminal acts, both in deposition and later at trial before Judge
2 Pechman.

3 b. Mr. Pandyar has cooperated with the United States Attorney's Office since the
4 indictment in this case was filed in December of 2017.

5 c. Once Mr. Pandyar became aware of the indictment issued against him, he did
6 not attempt to flee, but took the appropriate steps to answer to the indictment.

7 d. Mr. Pandyar has worked, and continues to work, with the victim in this
8 matter to track and trace the money obtained in the fraudulent factoring scheme.

9 3. On February 2, 2019, Mr. Pandyar formally accepted responsibility for his
10 misconduct by entering into an extensive plea agreement with the government. *See* Dkt. #33.

11 4. Although the conditions of his pre-trial release do not include confinement to house
12 arrest, Mr. Pandyar rarely leaves his home because his primary focus is on his home and his family.
13 Since entering into the conditions of his pre-trial release, Mr. Pandyar has demonstrated this focus
14 on his family and home, and his commitment to accepting responsibility for his actions. Given Mr.
15 Pandyar's exemplary performance on supervision, his cooperation with the government, and his
16 strong ties to the United States, the electronic monitoring is no longer necessary.

17 Mr. Pandyar respectfully requests this modification to remove the physical discomfort that
18 the electronic monitoring device produces, and to remove the constant emotional stress it lays upon
19 his wife and daughter every time they see the monitoring device on Mr. Pandyar's ankle.

20 WHEREFORE, the Defendant requests that his conditions of supervision be modified by
21 removing the electronic monitoring requirement.
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1 DATED this 21st day of February, 2019.

2 COLVIN & HALLETT, P.S.

3
4 s/John M. Colvin
5 John M. Colvin, WSBA# 20930
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Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

GURU PRASAD RAO PANDYAR,

Defendant.

NO. CR17-317 RSL

[PROPOSED] ORDER GRANTING
DEFENDANT'S UNOPPOSED MOTION
TO MODIFY THE TERMS OF
SUPERVISION

THE COURT, having considered Defendant Guru Prasad Rao Pandyar's Unopposed Motion to Modify the Terms of Supervision, HEREBY GRANTS Defendant's Motion.

IT IS THEREFORE ORDERED that the electronic monitoring requirement under the terms of Defendant's supervision is vacated.

DATED this ____ day of _____, 2019.

Robert S. Lasnik
United States District Judge

ORDER GRANTING DEF.'S UNOPPOSED
MOT. TO MODIFY THE TERMS OF
SUPERVISION (CR17-317)

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CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2019, I electronically filed the foregoing and the related proposed order with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all registered parties.

DATED this 21st day of February, 2019.

COLVIN & HALLETT, P.S.

s/John M. Colvin
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